

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

MILTON BALKANY,

Defendant.

10 Cr. 441 (DLC)

ADDENDUM CONTAINING LETTERS*
SUBMITTED IN CONNECTION WITH
SENTENCING MEMORANDUM ON
BEHALF OF MILTON BALKANY

*Redacted to delete street addresses,
phone numbers

Dated: New York, New York
February 9, 2011

KELLEY DRYE & WARREN LLP
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ADDENDUM D

D. Special Needs Daughter

79. Miriam and Joel Gold

80. Dalia Reichman

81. Ruchama Reichman

Family Letters

82. Levi Balkany

83. Mendel Balkany

84. Audel Hecht

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86. Hindy Wagner

* * *

87. Sarah Balkany

EXHIBIT 79

MIRIAM AND JOEL GOLD

Brooklyn, NY 11230

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

January 28, 2010

Re: United States v. Milton Balkany - 10-CR-441 (DLC)

Dear Judge Cote,

We know Rabbi Yehoshua (Milton) and Sarah Balkany for over 40 years. Sarah and I are friends since childhood and we are still very close. I am a Registered Nurse, mother and grandmother. I, Joel, am an investment banker and a graduate of the Columbia School of Business and NYU Law School. Kindly allow us to share what we know of the Balkanys and to appeal to you for compassion and mercy.

As Dean of his school, Yehoshua has made it possible for girls from very poor homes or dysfunctional families to have a solid Jewish and secular education that they would otherwise have been denied. It is widely known in the community that Yehoshua Balkany takes girls into his school when no one else would and integrates them into a healthy environment. How he kept the school afloat is amazing, and it is not only the tuition for which he raised money, but also for clothes and shoes for those from poor families. He never let the children down, nor, to the best of our knowledge did he ever expel a child from the school. He is a true and tried educator.

Over the years Yehoshua has shown great creativity and determination, which has enabled his school and the local community to grow and thrive. It is clear that the ongoing needs of the community and his school require his continued involvement and leadership.

Rabbi Balkany has led many charitable drives, which have aided numerous individuals and organizations in need. Additionally, he and Sarah have always had an open door to those in need and people come there in droves, especially for the Sabbath and festival meals. Rabbi Balkany brought quite a few children into their home who had no one to care for or to raise them. This, all in addition to their very large family. Rabbi Balkany also married them off. One girl, Elana, was in the Balkany home for 5 years, and married a doctor. They also have weekly study

groups in their home. In short, Rabbi Balkany is a vibrant, dynamic and inspirational figure.

However, more important than all the above, Yehoshua is an unbelievable husband, father and grandfather. He and Sarah are extremely close – they have been married for over forty years – and without Yehoshua nearby she is not going to make it. She is extremely depressed and anxious about the current situation. She needs him, she loves him totally with every ounce of her being and although she ‘stands by her man’ she is finished from it all.

The rest of the family, especially their children, who all rely on him are beside themselves at the possibility that he may be sent away to prison. Already the shame and humiliation that has engulfed the entire family has been awful. That alone has been a sentence of its own. It will take many, many years before Yeshoshua can hold up his head again. They are all going through their own purgatory.

Of very great concern is their daughter Naomi who has Down syndrome and is low functioning. Honestly, it was very hard for Sarah to accept this child and twenty one years later, for whatever reason, it still is not easy for her. As a result, Yehoshua is Naomi’s caregiver with all that it implies. He is intimately involved in every aspect of Naomi’s life and she is totally reliant on him. I am truly fearful about what will happen to Naomi. Sarah cannot cope with her, nor can the others. After all the years of living in a caring and doting milieu, in all likelihood Naomi will have to be institutionalized, and that will be the cruelest blow of all. Without Yehoshua at home we just do not see a viable option.

Kindly allow us to make a heartfelt appeal that in this case an alternate form of sentencing be considered and that Yehoshua not be sent to prison.

Sincerely and respectfully,

Miriam and Joel Gold

EXHIBIT 80

Dalia Reichman

Brooklyn, NY 11213

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

December 20, 2010

Re: United States v. Milton Balkany – 10-CR-441 (DLC)

Dear Judge Cote,

My name is Dalia Reichman, a former teacher for Rabbi Balkany in his Bais Yaakov School for girls. I have very fond memories of my years at the school. The atmosphere was, unfortunately, rare for a school. It was warm and inviting, and I believe that was a direct result of the persona of Rabbi Balkany. His focus was always to make sure that each child received the attention she needed. However, his interest extended far beyond the walls of the school. It extended to the child's welfare and home. If a child did not have a warm coat, he made sure she got one. If there was a problem at home, Rabbi Balkany did everything he could to help the parents. His door, whether at school or at home, is always open to everyone.

I also know another side of Rabbi Balkany. My daughter, Ruchama has had a very close relationship with the Balkanys' twenty-one-year-old Down Syndrome daughter, Naomi. As a mother of a young adult with special needs, I know how challenging it is. Ruchama has been a caregiver to Naomi for a few years and is regularly in the Balkany home. She has mentioned a few times that she is in awe of the special bond between Rabbi Balkany and his daughter. He is truly everything to Naomi and it is with him that she discusses everything about Naomi – her progress and her problems.

When we discussed what is happening with Rabbi Balkany, Ruchama has commented again and again that she cannot imagine how Naomi would handle any separation from her father.

While it is clear from all that Rabbi Balkany does, the community, the school, and, most importantly, his family need him. However, even just for the sake and welfare of Naomi alone, I feel that I compelled to plead with Your Honor that Rabbi Balkany not be sent away from home. If a sentence needs to be imposed please let it be other than prison.

Sincerely,

Dalia Reichman

Dalia Reichman

EXHIBIT 81

Ruchama Reichman

Brooklyn, NY 11213

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

December 20, 2010

Re: United States v. Milton Balkany – 10-CR-441 (DLC)

Dear Judge Cote,

My name is Ruchama Reichman. For the past three years I have had a very close connection with the Balkany family especially through my work with their daughter Naomi (21) who has Down syndrome.

I first worked with Naomi as her counselor in a special needs camp and this year I am her Res-Hab worker and come to work with her, one-to-one, in the Balkany home three times a week. I understand that Rabbi Balkany is facing sentencing before you and I felt it important to describe Naomi, her needs and what may happen should her father be sent away from the family home for any length of time.

Naomi is very low functioning and as a result she has an extremely difficult time in communicating. Her language is very poor and her social skills are very minimal. For example, when talking to her she invariably responds with gestures and if she answers it is usually a monosyllable yes or no. She is very hesitant at getting to know people and getting used to them. In the first year that I worked with her it took a summer until she accepted and trusted me. She just could not understand who I was.

Naomi is very comfortable in her home environment and shares a special relationship with her father, more than with her mother. He is her primary caregiver. From the way Rabbi Balkany speaks, I can tell that Naomi is his top priority. He constantly inquires about her behavior and progress, and is always searching for ways to make her life simpler and better. He is always there for her and she knows it. In fact, even a mention of him causes her face to light up.

The last few weeks, as the sentencing date draws nearer, have had an effect on Naomi. She appears to sense that something is wrong and is more inhibited and reserved. She requires her father's reassurance constantly. He is her total security. How she would cope without her father's constant presence is something I am afraid to consider. It will be a nightmare. Her mother and siblings would have the worst time trying to handle her without him there. As it is, Naomi refuses to leave him, even if arrangements are made for her to go to away for a weekend to a place that she likes.

Stability is extremely important to Naomi and her father's absence would be unbearable for her.

Sincerely,

Ruchama Reichman
Ruchama Reichman

EXHIBIT 82

Levi Balkany

Brooklyn, NY 11213

February 1, 2011

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Milton Balkany – 10-CR-441 (DLC)

Dear Judge Cote,

As the day of my father's sentencing draws nearer I humbly ask you to consider the following and to allow my father to receive a sentence other than going to jail. I admit that I am heartbroken over the entire case and cannot really grasp what has happened or how my father became involved in such a situation.

I have a medical supply business for the past 15 years and have worked hard to make it a financial success to personally benefit my wife and children. Every day is a challenge to make this dream work for me because I know just how much financial success can mean. As a result of what I do I am truly amazed at my father's lifelong selfless work to help others. Despite his rare and impressive talents he never owned any property, held any valuable personal accounts or worried about his 'net worth' as I do.

He often was able to use his wide network of friends and acquaintances to enable introductions or to broker different deals, and there was always the possibility of significant commission that he could have earned and would have been a boon to the family. Yet during his entire life he directed any such promising opportunity that came his way to benefit the Bais Yaakov of Brooklyn School whose budget was completely his responsibility. Moreover, his school has stood out in the crowded field of Jewish schools for girls as the one to accept every child despite background or ability to pay. Without any exaggeration he was the sole reason for hundreds of girls to be able to go through to graduation paying just \$10 a month, or \$0, in tuition. Without him available and working for them, many girls needing a Jewish education will have no place to go. He has also helped many of those families to survive by raising funds for them.

I am very worried about my mother and what will happen to her. She does so much, but relies totally on my father. With him out of the picture it appears that everything about our family will implode. I am not trying to sound too dramatic – this just happens to be the situation. Ever since I can remember my mother relies on him totally for everything that goes on in the house.

And here I raise one very important point – my severe Down syndrome sister Naomi who is 21 already. She is low functioning and was really raised by my father. My mother does not have the patience or skills to deal with this difficult and unpredictable child. It is my father who does the parenting task very early in the morning to get her out to school and then after she returns until the late evening. Everything about Naomi is my father. When he is away for a day or so she will most often sulk in a corner and refuse to speak or do anything until he returns to give her the personal attention she desperately needs.

If my father has to be away for even months, never mind years, I can only imagine the traumatic effect on Naomi and how very detrimental it will be to her wellbeing. Although institutionalizing her has always been avoided – it has always been a dreaded solution - any prolonged absence of my father might make it unavoidable and that would be just awful. The poor kid, after all these years of living in a loving home. That would be terrible. Unfortunately my siblings and I cannot be of the kind of help she needs because we all have growing families and some live at great distance.

I plead with Your Honor for the sake of my mother, my sister and the schoolchildren for whom my father works so hard to apply an alternative sentence. He has already paid a very steep price in terms of shame and anguish, as well as the destruction of his good reputation.

Sincerely,

A handwritten signature in black ink, appearing to read "Levi Balkany".

Levi Balkany

EXHIBIT 83

M. Mendel Balkany
[REDACTED]
Brooklyn 11213

[REDACTED]
The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Milton Balkany – 10-CR-441 (DLC)

Dear Judge Cote,

I am a 29 year old son of Rabbi Milton Balkany and father of two young boys. This whole case is clearly very traumatic for our family. While all the legal aspects are being handled by the professionals, I would like to take this opportunity to share with the Court the specialness of my father.

I consider myself blessed to have grown up in a household with a father that placed an absolute priority on the well-being of his children. We are thirteen siblings, which is quite a challenge for any parent, and my one sister, Naomi, has Down syndrome. Yet my father understood that we had individual needs, spent time with each one of us and made certain that we each felt special and not lost in the 'tribe'.

He taught us the meaning of true love by holding us close and sharing all that he had with us. When he had very little, and all he had to share was his love and interest, it was more than enough for us. He sang to us as children and danced with us when we each reached a new milestone in our lives.

I watched many times when he gave the last dollar in his pocket to others, and silently thanked God for giving me the best teacher of kindness - one who practiced it fully and with all his heart. He cried with us when we were saddened by failure and always followed that moment of sorrow with strong encouragement to move forward. He taught us how to live and how to grow: by moving forward and focusing on the positive. This devotion to all his children continues to this very day.

As my wife and I raise our young family, he is always ready to help with guidance and support. Not a day goes by without him calling my 4 year old son to review the day's events and to listen to what he learned in school that day.

As a teenager I often spent much time thinking about what career I should train for. Throughout high school I considered various professions and the possibility of opening a small business. I spent many nights in conversation with my father discussing the

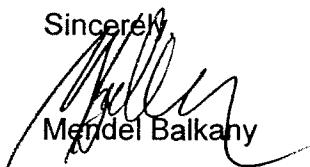
benefits and drawbacks of each possible field. My father encouraged me to enter the field of education because, as he often said, there is no greater reward than making a difference in the life of a child. When the time came for me to register for college, my father's advice was a principal factor in my decision to enter the Touro School of Education.

Throughout my college years, my father assisted in my studies by holding intense study sessions in which he would create real life scenarios and then challenge me to produce a response befitting a professional educator. Yet, as valuable as those studying sessions were, the greatest impression was watching him interact with his own students. He was as concerned whether a student had a warm winter coat as he was about their academic achievements. He constantly inquired about every student's well being and greeted each little girl with a warm greeting as he passed by in the hallway.

During my first years as a teacher, my father listened to every detail of how my lessons were prepared and how they were implemented. He offered advice and support in the form of constructive criticism and warm encouragement. After I was appointed as a school principal, my father celebrated my appointment but cautioned that "with the increase of influence comes the increase in responsibility that every single child in your care is afforded an opportunity to succeed." He stressed often that it is my duty to not only answer to the school board but also to my own conscience.

Children need parents by their side to grow in a healthy developmental manner - but so do adults. There is a parenting challenges, career decisions, day to day struggles, and traveling down the path of life with a loving father by my side is not just important to me, it's invaluable for my wife and our two sons. If my father is sent away it will be terrible for us all. What will happen to my mom; to Naomi; to the kids still at home? Life without my father will be a family disaster. I respectfully beg for your understanding and compassion.

Sincerely,

A handwritten signature in black ink, appearing to read "Mendel Balkany".

Mendel Balkany

EXHIBIT 84

Audel Hecht

[REDACTED]
Woodmere, NY 11598
[REDACTED]

Honorable Denise L. Cote
United State District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

January 30, 2011

Re: United States v. Milton Balkany - 10-CR-441 (DLC)

Dear Judge Cote,

I write to you on behalf of my beloved father, Rabbi Milton Balkany, and I thank you in advance for your time and attention. My name is Audel Hecht and I live in Woodmere, Long Island with my husband, Noson, and our five children.

I attended the trial in its entirety and am extremely pained by the impression that Your Honor seems to have of my father. While I understand that a very negative impression could easily have been gained from the tapes, the man described bore no resemblance to the special man who raised me and my twelve siblings. He is the kind of father who embraced every aspect of parenthood with delight and warmth and went way beyond the call of duty to enrich each of our lives with complete devotion. My father is a very affectionate man who showered us with loving embraces and kisses each time he would see us, even in public he was never ashamed to give a hug or a kiss.

He sought out to know our individual persuasions and to add whatever he could to our worlds. There was no task too menial or beneath his dignity. He was my friend and confidante who had a remarkable penchant for always seeking to find ways to enhance and uplift the people around him.

I deeply admire my father's lack of regard for traditional parental roles as he was the 'mom' in our house who attended to both our physical and emotional needs. Each morning we awoke to the scent of him cooking breakfast, which he would place in assembly line fashion on the dinette table. After sitting with us and doing the daily parental exercise in futility of trying to get the entire clan nutritiously energized for the day ahead, he would make sure we had our snacks and book bags in tow and that our hygiene passed his rigorous standards.

More broadly, my father regularly arranged our routine doctor and dental visits, aided us in our budding social lives and took a keen interest in our studies. When I spent a year studying abroad in Australia he never missed making his biweekly calls to see how I was getting on. Although there were 13 of us, my father always made us each feel as if each was an only child. His hands-on devotion to us has continued throughout our adult lives.

In all family decisions my father deferred to my mother. As a feminist I could applaud the concept. However, my mother is very religious and while she is involved in many and

incredible acts of kindness, day in and day out, she has a narrow way of thinking. For example, she strongly discouraged my siblings and me from attending college. My six older siblings dutifully heeded her advice. However, as a teen, when I expressed my intention to go to college, she was not at all happy. Thankfully I attended Brooklyn College where I earned my Bachelors and Masters Degrees in political science. My father, while ultimately always submissive to my mother's directives, has consistently supported my love of learning and encouraged me throughout my years of study. The day I graduated, he tearfully shared with me, was one of "proudest days of my life". He continues to support me as I prepare for doctoral studies in clinical psychology. My younger siblings have since attended college.

If Your Honor were to visit my parents' home you would find well worn, shabby furniture, and a clear lack of resources to maintain a good standard of living. Yet my father's sunshine and nurturing personality makes those who visit forget about the lackluster surroundings and are instead warmed by the inviting and heartfelt spirit of the home. My father's unrelenting optimism is, in my view, to his detriment, as he sees potential roses where there are lemons and fails to see negativity when situations reek of it. To outsiders I could see how his Pollyanna life view appears mannered or put on. And yet the contrary is true - that's just who he essentially is. He has an almost childlike naïveté about how people think and extends this utopian view in dealing with others.

While I heard some of the names mentioned by him on the tapes - and some of them are very famous – and I know he did meet them, that was not at all the usual way my father conducted himself. Any photographs of such occasions were never displayed but are to be found in a file cabinet in his office, and I got a glimpse of them, once or twice, in my childhood. What I did see regularly was my father serving food and pouring beverages to the folk we would see sleeping on benches and on street corners and who came to eat in our home. We kids did not appreciate these daily 'intruders', but my parents regard them no more different than other individuals whose basic needs are not being met, and they do whatever they could to help them. This has been done for years, as long as I can remember, in the privacy of my parents' home, without crowds, recognition or fanfare.

Last year my father had a medical issue that was not going away. After several visits to local doctors, I suggested a specialist where we live and scheduled an appointment. A couple of days later my father called me to apologize but he had to cancel his appointment. He quietly mentioned that on the same day one of the regular 'Sabbath guests', an old man – Marvin Aranof, was to undergo serious surgery and had no one, no family, to go to the hospital with him. My father spent the entire day at the hospital with Mr. Aranof and didn't talk about it to anyone.

There is another issue that I would like to share with Your Honor. It concerns my sister Naomi. She is 21 years with Down syndrome and is very low functioning. My mother, for whatever reason it may be, simply has found it very difficult having a daughter with Down syndrome.

My father is the sparkle and center of Naomi's world. He showers her with unending affection and love and is, without a doubt, her sole caregiver. My father once again assumed the dual parental role and makes sure that Naomi is showered, brushes her teeth, has clean clothing, goes to bed on time, and is prepared for her daily activities. He has always been on top of her school and camp arrangements, as well as her therapy. On weekends, he will take her on outings that she enjoys such as rowboating in Central Park. Naomi has a natural love for music. My father will often play a CD and dance with her and Naomi's face radiates with joy the entire time. When

I invite her to spend Shabbat at my home, Naomi's reply is always an emphatic, "No, Totty (daddy)". Invariably she speaks only in two word sentences.

Your Honor, if my father is not present in Naomi's life, it will be a life sentence for her. My mother cannot care for her in the way she has become so accustomed. Naomi will be emotionally ruined and her needs will be neglected. If your honor can have mercy, even just for Naomi's sake I will be forever grateful.

Humbly and with hope for your mercy,

Audel Hecht

Audel Hecht

EXHIBIT 85

Devorah Vishedsky

Brooklyn, NY 11213

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

February 1, 2011

Re: United States v. Milton Balkany - 10-CR-441 (DLC)

Dear Judge Cote,

My name is Devorah Vishedsky and I am the second daughter of Rabbi Milton Balkany and I write to you about my special father.

Nothing is more powerful than our childhood memories and experiences, which profoundly affect even our everyday lives, and those with my father, as well as his beliefs and convictions, strengthen me daily. The great lengths he went to extend compassion to all were inspiring. His unwavering attention and dedication to each and every one of his thirteen children seems surreal to me as I struggle to parent my own three children. At the different crossroads of my life my father has been there cheering me on. He imparted the importance of never quitting no matter what.

When I was young my father returned home every day to eat dinner with us. The house phone was removed from its hook to ensure that nothing was going to serve as a distraction from quality family time. Going around the table, he would patiently ask us children to highlight a special experience from that day. It powerfully communicated to me that despite his grueling schedule, we were what mattered most.

My parents went through very difficult financial times struggling to meet our ongoing needs. My father selflessly gave us constantly while never indulging in anything for himself. I remember when the yarn on his single blue sweater unraveled, finally giving in to its lengthy wear and tear. Even today he insists on putting the needs of others before his own.

The son of Sam and Rose Balkany, my father grew up in abject poverty. My grandfather worked the graveyard shift at General Motors and my grandmother was a secretary. Having come off the heels of the Depression, they were grateful for any job they could find. You can imagine the great disappointment my grandfather felt when my father shunned an opportunity to attend Harvard University (he was accepted there) and instead opted to attend a college in New York so he could additionally obtain a rabbinic degree. Education and helping others preceded pursuing any opportunity in living a life of luxury.

I was an unhappy teenager and struggled with 'finding myself'. My father was there for me every step of the way. For hours he would speak with me, encouraging me to choose a positive path, to be a productive human being and a contributing member to society. He is a person who never shouted, never lost his temper, and most important for me, he never made me feel inadequate.

Through his gentle and supportive demeanor he provided a solid blueprint for healthy relationships. His unconditional acceptance allowed me to express myself freely, and for a teenager this was vital.

After graduating high school, my father sent me to a popular seminary for teacher-training in Israel. It was a great sacrifice on his part as finances were scarce. It was there that I met my husband, a handsome Israeli soldier. Instead of continuing to study for an advanced educational degree (I already had a teaching degree) I married him and we then moved to America to establish our home. Because of our financial situation, times were brutally difficult, and in that first year I also became pregnant, which had its own problems. There were occasions when we faced eviction, had no money for food and had our gas shut off. We did not want to bother my father but we had no choice, and each time we did he was there for us. Never did he voice criticism nor was he judgmental – only pure love and solid support.

When my husband had a decent job opportunity that required a great deal of travel, long hours and Sundays, my father bought us a car. It afforded my husband a dignified way to provide for his family and slowly we climbed our way out of a mountain of burdensome debt. In the Crown Heights riots in 1991, that car was our life saver. As angry mobs took to the streets, set vehicles on fire and terrorized local residents I grabbed my baby, ran to my car and drove to my parents' home.

At one point in time we were locked into a rental lease and could not get our slumlord to eliminate the mice, rodents or to provide the basics. It was awful and my children brought their friends to my parents' home to play because they were too embarrassed to expose our true living conditions. And when they would go there, my father provided them with snacks, delicious meals and even spent time helping them with their homework. As my children grew older my father celebrated each milestone in their lives – never missing a birthday, a graduation or a school function.

My husband managed to build up a business together with a partner that employed 200 workers and even purchased the building where the business was located. It appeared that the debts were something of the past and we could look forward to a comfortable future. It turned out that the partner was a compulsive gambler and he drained the business which collapsed. It was simply awful and my husband, understandably, was devastated and felt that he could not go on. It was my father who sat down with him and persuaded him not to give in to despair and rather to persevere. My father's role here was pivotal. He spoke to my husband daily and encouraged him to channel his frustrations into building a new business, which, thank G-d, flourished in a relatively short time.

My parents' home is a special place, not just because it has all my childhood memories. Rather, it is a unique place in what it contributes to society. It has been, and is, an unsung place of succor, solace and hope for hundreds and hundreds of people, and that is no exaggeration.

On Thanksgiving, many Americans give of their time to go to shelters and other venues to help dish up food for a meal for the less fortunate, homeless and underprivileged. While that is indeed praiseworthy it is done once a year. In my father's house such activities take place every week! Every Friday night and Saturday such people – 30 or 40 – can be found at my parents' table and my father waits on them personally. Some have been coming every week for over twenty years! It is their place of refuge and my father is their source of comfort.

But it does not end there. There are those families – I think there are ten of them – that receive meals cooked by my father and mother every day. Mr. Gadol comes to pick up home-cooked meals for his schizophrenic wife. Mrs. Belkin (an elderly bed-ridden woman) has her specific requested meals delivered to her apartment along with a few others, who choose to remain anonymous, too embarrassed to be on the

receiving end. The rest come freely for food, charity, a warm coat or a caring ear to vent their problems. I remember once expressing my distaste in sharing a bathroom with a homeless woman who found temporary refuge in my parent's home. My father explained how we are all God's creatures and in fact we are all equals. There were no long winded speeches from my father, rather there were life-long lessons taught by example.

Last year we celebrated the Passover holiday at my parent's home. As I sat alongside lonely souls, and pan handlers, I was profoundly affected by a relatively young woman, Mrs. Fisch, who sat directly across from me. She flashed a toothless smile and was excited to join our family for the holiday. She told me that after enduring years of horrific abuse by her husband (he had knocked out her seven front teeth) she reached out to my father to help her leave him. She mustered the courage to move on and my father agreed to mentor her five year old son. She apparently also suffered abuse as a child. The stories of my father's house are endless and the human suffering tragic.

Your Honor, I have tried to give you an idea of the person that my father is. However, I need to write about the likely devastation that will happen if my father is sent away to prison.

I am terribly worried about my mother. While she gives lectures and works so hard to have the home I have described, she is completely dependent on my father. He is the one who maintains the home. She has always been the homemaker and he the provider. They have a large family of thirteen children and there are still kids at home, the youngest is 5. My mother cannot manage without him and I am afraid that she will just fall apart.

A major consideration and fear that we all have is what will happen with my sister Naomi. Naomi, who is 21, has Down syndrome is low functioning, and living with her is a major challenge. Unfortunately, my mother never came to terms with having a Down syndrome child, some people just cannot, and the responsibility for Naomi fell completely on my father's shoulders. Every aspect of my father's life is affected by my sister Naomi, and no matter what he does or is involved in, concern for Naomi is present. He connected with her and is the one who taught her basic life skills, and helps her adapt the changes in her daily routine caused by the frequent Jewish holidays and any other needed transition. This is extremely difficult to do because Naomi does everything exactly

the same every day. This includes what she eats, where she sits at the family dinner table and how she interacts with everything in her life.

Most 'disruptions' of basic regimen is followed by angry fits, refusal to eat or general erratic behavior. My father is the only person who can speak with her and persuade her to adjust to the temporary change. He patiently and lovingly encourages her and, without any exaggeration, this can sometimes take hours. I can remember several isolated instances when my father was not around and the havoc it wreaked. Naomi had a few 'accidents' (wetting her pants), refused to tend to her basic daily hygiene, refused to go to school and remained in her room crying hysterically until my father returned. In general it was very difficult (if not nearly impossible) on the entire family unit. It was frustrating to watch her suffer and painful to watch her regress. It is for this reason that my father seldom goes away.

Most people look forward to a weekend when we sleep in late and are afforded solitude and silence. My father never has that luxury. Each and every morning he is awake at 6 a.m. and dutifully runs Naomi's bath and prepares a nutritious breakfast for her. And when she is ready to go, she will not get on the school bus without my father waving to her. On many nights she will sit at the dinner table refusing to eat without him and will wait for hours until he finally comes home.

I know the joys that come with living with a special needs child but truthfully it is a life sentence. Parenting is a difficult in itself and after raising healthy children one hopes for a time when our children will embark on their own journey and embrace their own lives ahead. We value the quiet, the solitude that will follow. That day will never come for my father as he cares for Naomi.

In the present tough economic times, like so many other Americans life is a financial struggle. Just meeting monthly expenses is a major challenge. Should my father be sent away from home, none of us children have the wherewithal to extend any sort of financial safety net for my mother and our younger siblings. The repercussions that would occur to our large family unit, are frightening. There will be an inevitable foreclosure on his home, my mother will be forced to go on welfare, and Naomi will undoubtedly suffer immensely if not have a mental breakdown. And then there are the hundreds of lonely souls who have nowhere else to turn

Judge Cote, I plead with you, no I beg you, please do not send my father away. It is not for me to comment on the case, it fills me with too much pain. Is there no way that you can impose a sentence that is an alternative to incarceration? My father has proven that he can make a positive difference to people's lives. Can you not fashion a sentence that can use that talent to the fullest? It is too frightening to contemplate what will happen if he is removed from society. Please, Your Honor, please hear these words from my heart.

Respectfully,

Devorah Vishedsky

Devorah Vishedsky

EXHIBIT 86

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Hindy Wagner

[REDACTED]
Toronto, ON M6A 1M9
Canada
[REDACTED]

January 28, 2011

The Honourable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Milton Balkany – 10-CR-441 (DLC)

Dear Judge Cote,

I write to you about the father that I revere and love, and I beg you to hear the words of my heart as I desperately beg you for mercy. My father's presence in my life has been a vital constant. Even though I live in Toronto with my family, I speak to him every day and my children cannot wait to speak to their zaidy. No matter what is taking place in my life, he is there to offer wisdom, understanding, guidance and support to get me through it. He offers the same counsel and care to my husband who also feels so very close to him.

In times of joy, no matter what the occasion, we know that he will be there to be a part of it! When I gave birth to each of my seven children, my father came through to Toronto to be with us. In fact, all the milestones in my life have a connection to him and he celebrates them as though they are his very own. A celebration of our own family just isn't complete without him there!

Thank G-d we have frequent occasion to celebrate together, and rarely the need for tears and comfort. But when we do, we know that my father is there – our rock and anchor in stormy seas. How can I forget his sensitivity and support when my husband lost his father? When I had life-saving surgery, he arranged for me to recuperate in Miami and took a week out of his busy schedule to be there with me. He made sure that I sat by the water each and every day, and kept on bringing me drinks, making sure that I had everything that I needed.

You would think that being married, with seven children, a part-time teaching job and living in Toronto for the past fifteen years that there's enough going on in my life. But he plays a role - his advice, sympathy, empathy, and love, all doled out in a generous measure are a balm for my troubles and needs. When the answering machine picks up, he leaves a loving message with a compliment for each and every one of us individually and my kids play these messages over and over again! Every holiday, my husband and children look forward to our trip to New York to spend the holiday in his warm and loving embrace. A holiday is just not meaningful if it

is not spent with him!

In summer time, my father often travels with my twelve siblings, many of them with little children of their own, to a small four-bedroom bungalow in upstate New York. In his heart there's always room for one more! Everyone is always welcome and there's never need to worry that it is too full. We have enjoyed weeks at a time with him there. It's not just the accommodation though! The kids know that whenever it is that we show up, Zeidy will make the time to take them rowing, take them out for pizza and treats, and of course stop at a toy store for gifts. That he makes us comfortable is an understatement!

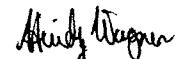
My sister Naomi has Down-syndrome and is so dependent on him. He is her fundamental caregiver and without him she is totally lost, so much so that it is pathetic to watch. Even with Naomi on vacation and all her demands, my father is able to make time for my kids to feel special, welcome, and loved.

Above all else, my father serves as the role-model for our children as we strive to inculcate sensitivity and caring for others in them. They see how his home is always open any time of day or night, how the poor and destitute are welcomed at his table as members of the family, and how people in need of help call his number all the time. No matter how challenging his own personal situation, he always thinks of others and puts his own comfort and needs aside with complete self-sacrifice.

My kids marvelled at how he treated Marvin Aranoff, an elderly loner with no immediate family, when he underwent surgery. Marvin had been suffering from a treatable condition for years, but was afraid to undergo the surgery. Finally, my father convinced him to get it done and promised to take a day off work to be with him at the hospital in the Bronx. He stayed there the entire day until he saw that Marvin had come around in the recovery room and felt comfortable enough for my father to go home. And now, because Marvin has difficulty walking, my father arranged to split the rent with him for an apartment near to the house so that Marvin will be able to take all his meals at my father's table.

His innumerable acts of kindness on behalf of others only serve to enhance and amplify the daily impact that he has on our lives! My eyes fill with tears as I pray and appeal to you, Your Honor, to consider all the goodness and kindness that he does and not to send him away. It will be too much, too much.

Prayerfully,



Hindy Wagner

EXHIBIT 87

Sarah Balkany

Brooklyn, NY 11219

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

February 6, 2011

Re: United States v. Milton Balkany - 10-CR-441 (DLC)

Dear Judge Cote,

My husband of forty-two years, Yehoshua, is soon to be standing before you for sentencing. I write to Your Honor to ask you for mercy and not to send Yehoshua away. I specifically do not comment on the case and on the verdict but rather to tell you about my husband, our home, and his deeds. I hope and I pray, that after you read the words that come from my heart, you will find it within your heart to show compassion and mercy and to impose a sentence that will not involve incarceration.

I must admit that sitting in the courtroom and hearing what was said about Yehoshua can only have left a terrible impression about him. As I said, I cannot comment about what was said there but I do know the man with whom I have lived for so many years and with whom I have had thirteen children and have witnessed his works on a daily basis is not the man portrayed.

Yehoshua is a very talented person and could have made a successful career in so many areas. However, he chose and we chose to devote his life and my life to Jewish education, to outreach and to helping people. If you would just come and see our home you will note immediately that there are no ostentatious trappings or expensive furniture or luxuries. And those are not the treasures we sought. Our treasures are our children, the children we took into our home and the many deeds whereby we have tried to help people through their difficulties. If you would come on a Friday night and Saturday you would see all the poor, elderly and lonely who Yehoshua brings home and who fill our house.

Throughout these years Yehoshua has been truly selfless. He has never put himself before anyone else. He carries an enormous burden of the futures of hundreds of girls who otherwise would not have a chance at a Jewish education that they and their parents care about so passionately. And while I see him struggling under that load and my heart goes out to him, I am intensely proud of what he has achieved over these past four decades. There are many homes that are stable, that

have wonderful children and bright futures all because of him. Ever since we met I have seen just how caring and concerned an individual he is. I could write about much of his other activities about the lonely, the elderly, the desperate and youngsters at risk. But that is not my task at this time.

I am desperately afraid and terribly haunted by the fact that Yehoshua could be sent away; and it is now that I approach you from the depths of my heart to hear my voice and to hear my cries. People will tell you that I am a good teacher and strong and capable and that I am involved in so many activities. But I am only able to do that because I know that Yehoshua is there for me, is behind me, and has backed me through thick and thin.

My heart is broken and I am terribly fearful because everything we have and do, my children and me, all is dependent on Yehoshua. Without him it will all be as naught. He is my soul mate, he is the other half of my being and I am paralyzed with anxiety about what will happen. It will be just too much, Your Honor. How can I even describe what it has been like since the advent of this case? The calls, the whispers, the comments - whether it will be when I'm in the store or in synagogue or walking by in the street. We have been very public people and now the humiliation has been total. Every day is a living purgatory. Every day is a challenge of survival. It has been awful, awful, awful.

Yehoshua does not suffer alone. The entire family has been thrown into an emotional quagmire that is engulfing us all. I do pray. I pray to God that He should hear our prayers and that you show compassion to us all in this very, very difficult time.

And I also plead to you on behalf of our daughter, Naomi. Naomi is Down syndrome and has so many, many issues. Like all Down syndrome children she is a pure soul and she has a special bond with Yehoshua. Somehow their closeness has given her the ability in her little world to have happiness and contentment. She has the person upon whom she can rely in the most special manner, and for twenty-one years Yehoshua has been there for her. If Yehoshua goes away I tremble and I shudder at what will happen to Naomi. It will be so very, very sad. I ask you to consider Naomi's little world and our greater and vaster world that will all crumble away without Yehoshua. I am too choked to write more and can only turn to you in prayer and ask you, please do not send Yehoshua away.

Sincerely,



Sarah Balkany